

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 14, 1987
7:30 P.M.

ROLL CALL Present: Council Members - Hinchman, Pinkerton, Reid, Snider, and Olson (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Dr. Allen Kent, Lodi Community Church.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mayor Olson.

PRESENTATIONS There were no awards, proclamations, or presentations presented at this meeting.

CONSENT CALENDAR In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Reid, Hinchman second, approved the following items hereinafter set forth. Agenda item E-12 "Adopt Resolution approving Federal Aid Urban Routes" was removed from the Consent Calendar and discussed under the Regular Calendar.

* * * * *

CLAIMS CC-21(a) Claims were approved in the amount of \$2,975,929.76.

MINUTES The Minutes of August 19, 1987, September 2, 1987, September 9, 1987, and September 16, 1987 were approved as written.

PLANS AND SPECIFICATIONS FOR CURB AND GUTTER IMPROVEMENTS, PINE AND STOCKTON STREETS APPROVED Council approved the plans and specifications for "Curb and Gutter Replacement, Northeast Corner of Stockton Street and Pine Street", and authorized advertising for bids thereon.

CC-12.1(c) On September 2, 1987, the City Council authorized the replacement of the catch basin and the curb return at the northeast corner of Stockton Street and Pine Street. This project will also replace broken curb and gutter on Pine Street and widen a portion of Stockton Street to its ultimate width. Gas tax funds have been allocated for this project.

ADDITIONAL FUNDS APPROVED FOR UNDER-FUEL TANK PROGRAM The City Council approved \$170,000 in funds for the last phase of the State-mandated underground fuel tank GROUND replacement program. This phase includes the removal of seven tanks and the installation of nine new double-wall tanks.

CC-6

CC-24(b) The 1986/87 CIP contained \$80,850 to cover Phase I of the State-mandated underground fuel tank replacement program. Under the program, the City does the work, bills the State, and is reimbursed for eligible costs. When reimbursement

is received from the State, it does not automatically go into the project account but must be appropriated. Therefore, Staff requested that \$170,000 be appropriated to complete the second (and last) phase of the underground fuel tank program. Total State reimbursement anticipated is \$142,000.

A breakdown of the total program is as follows:

Phase I Costs	\$ 80,850
Phase II Estimate	<u>170,000</u>
Total	\$250,850
State Reimbursement to Date	(61,000)
Additional State Reimbursement Anticipated	<u>(81,000)</u>
Estimated Costs to City	\$108,850

This project will be completed prior to the next fiscal year (1988/89).

AWARD - CONTRACT
FOR UNDERGROUND
FUEL TANKS

RES. NO. 87-128

CC-12(a)
CC-12(d)

The City Council adopted Resolution No. 87-128 awarding the contract for "Underground Fuel Tanks" to Perkins Welding in the amount of \$35,510.00.

This project is part of the overall State underground fuel tank updating to replace single-wall tanks with double-wall continuous monitored tanks.

Plans and specifications for this project were approved on September 16, 1987.

The City received the following four bids for this project:

<u>BIDDER</u>	<u>LOCATION</u>	<u>BID</u>
Engineer's Estimate		\$38,000.00
Stockton Manufacturing	Stockton	\$34,247.24
Perkins Welding	Sacramento	\$35,510.00
Shields Harper Co.	Oakland	\$35,698.68
N.J. McCutchen Inc.	Stockton	\$47,462.56

Low bidder, Stockton Manufacturing and Sales Company, does not meet the specifications. Their tank is not an STI-P3 and has no cathodic protection. It was therefore recommended that the contract be awarded to the second low bidder, Perkins Welding.

AWARD BID FOR
PURCHASE OF
THREE 15-KV VACUUM
CIRCUIT BREAKERS

RES. NO. 87-129

CC-12(d)

City Manager Peterson presented the following bids which had been received for three 15-kv vacuum circuit breakers:

<u>Bidder</u>	<u>Location</u>	<u>Bid</u>
Item 1: Two 1200 Amp.		
Square D Co.	Hayward	\$35,544.84
General Electric	Emeryville	\$36,146.48

Continued October 14, 1987

Westinghouse	Concord	\$39,352.50
Howard Dunn	San Mateo	\$40,280.00

Item 2: One 2000 Amp.

Howard Dunn	San Mateo	\$22,896.00
General Electric	Emeryville	\$23,593.72
Westinghouse	Concord	\$24,744.64
Square D	Hayward	\$36,383.86

The power circuit breakers will be installed at the McLane Substation as a part of the Phase 2 development now in progress. This second phase is required to supply the area load, including the large industrial load now being developed, under 'emergency' conditions, commencing with the 1988 summer season, and will be needed to supply the 'normal' load in subsequent years.

Funding for this purchase is included in the Electric Utility Department's 1987-88 budget.

Council adopted Resolution No. 87-129 awarding the bid to the low bidder in each category, as follows:

Item 1: Two 15-kv, 1200-amp. Circuit Breakers

Square D Company	\$35,544.84
------------------	-------------

Item 2: One 15-kv, 2000-amp. Circuit Breaker

Howard A. Dunn Co., Inc. \$22,896.00

Total Award: \$58,440.94

AWARD BID FOR
PURCHASE OF ONE
69-KV SF CIRCUIT
BREAKER

RES. NO. 87-130
CC-12(d)

City Manager Peterson presented the following bids which had been received for the purchase of one 69-KV SF6 Circuit Breaker.

Bidder	Location	Bid
Brown Boveri, Inc.	San Bruno	\$42,696.80
Howard Dunn	San Mateo	\$47,382.00
Ingalls Assoc.	Emeryville	\$51,865.80
General Electric	Emeryville	No Bid
Westinghouse	Concord	No Bid

This power circuit breaker will be installed at the McLane Substation as a part of the Phase 2 development now in progress. This second phase is required to supply the area load, including large industrial load now being developed, under 'emergency' conditions, commencing with the 1988 summer season, and will be needed to supply the 'normal' load in the subsequent years.

Funding for this purchase is included in the Electric Utility Department's 1987-88 budget.

Council adopted Resolution No. 87-130 awarding the bid for the purchase of one 69-KV SF6 Circuit Breaker to the low bidder Brown Boveri, Inc., in the amount of \$42,696.80.

AWARD BID FOR
PURCHASE OF DIGGER
DERRICK/BUCKET
TRUCK COMBINATION

RES. NO. 87-131 City Manager Peterson presented the following bids which
had been received for the purchase of a Digger
CC-12(d) Derrick/Bucket Truck Combination:

<u>Bidder</u>	<u>Location</u>	<u>Bid</u>
Pac Power, Inc.	Dixon	\$119,886.00
Pacific Mobile	Benicia	\$121,249.16
ARKO	Industry	No response
Heil Equipment	Sacramento	No response
Utility Body Co.	Berkeley	No response

Council adopted Resolution No. 87-131 awarding the purchase of a Digger Derrick/Bucket Truck Combination to the low bidder Pac Power, Inc., in the amount of \$119,886.00.

IMPROVEMENTS AT
25 SOUTH STOCKTON
STREET ACCEPTED

RES. NO. 87-132 Council adopted Resolution No. 87-132 accepting the
development improvements for 25 South Stockton Street.

CC-46

These improvements have been completed in substantial conformance with the requirements of the Development Agreement between the City of Lodi and Herb Preszler dated May 13, 1987, and as specifically set forth in the plans and specifications for the work.

PUBLIC HEARING SET
TO CONSIDER ADOPTION
OF RESOLUTION OF
NECESSITY FOR THE
ACQUISITION OF
ADDITIONAL LAND FOR
THE C-BASIN, SOUTH-
EAST CORNER OF VINE
STREET AND BECKMAN ROAD,
BY EMINENT DOMAIN
PROCEDURES

CC-27(a)
CC-27(c)

Council set a Public Hearing for November 4, 1987 to consider adoption of a Resolution of Necessity for the acquisition of additional land for the C-Basin, southeast corner of Vine Street and Beckman Road, by Eminent Domain Procedures.

RESOLUTION ADOPTED
APPROVING 1987-88
TRANSPORTATION
DEVELOPMENT ACT
CLAIM

RES. NO. 87-133 Council adopted Resolution No. 87-133 approving the City's
1987/88 Transportation Development Act (TDA) Claim for
CC-7(f) Local Transportation Funds (LTF) and State Transit
CC-7(n) Assistance (STA), and authorized the City Manager to
execute the documents on behalf of the City.

The City's 1987/88 TDA Claim requests all of the LTF apportionment, which amounts to \$757,896, and the STA, which amounts to \$1,491. The STA funds are not a new apportionment but a clean up of previous years' unclaimed apportionment and reprogramming STA money that had been put into streets and roads several years ago and not used. It

Continued October 14, 1987

is estimated that the City will be using approximately \$202,129 of the LTF and \$1,491 STA money for the Dial-A-Ride system. The City, according to Staff, does not plan to purchase any new equipment this year.

TDA funds are used in conjunction with other street funds for the transportation improvement program and maintenance of City streets. This claim includes work in progress projects as well as street projects from the City's CIP which are using the LTF funds. Projects were detailed for the benefit of the Council. Showing these projects in our claim allows us the flexibility to use TDA funds. It does not approve these projects for construction. The pedestrian/bicycle apportionment (\$15,467) will be used on the City's sidewalk upgrading program, together with other funds. Since this project improves pedestrian safety, it meets the requirements of this portion of the claim.

SALARY INCREASES
APPROVED FOR SWORN
POLICE DEPARTMENT
EMPLOYEES

RES. NO. 87-135 Council adopted Resolution No. 87-135 approving salary increases for sworn Mid-Management employees of the Police Department effective the pay period encompassing October 1, 1987.

CC-34

Council was reminded that in October 1986 the City of Lodi entered into an agreement with the Police Officers' Association of Lodi which calls for a salary increase equal to the change in percentage of the CPI but no less than 5%, effective the pay period encompassing October 1, 1987. The percent change in the CPI was 4.3%, therefore, an increase of 5.0% was required.

COMMENTS BY CITY
COUNCIL MEMBERS

ANNUAL LEAGUE OF
CALIFORNIA CITIES
SESSIONS DISCUSSED

Council Members discussed various sessions they had attended at the Annual League of California Cities Conference recently held in San Francisco.

INQUIRY AS TO
REQUIREMENT FOR
PLANNING COMMISSION
TO REPORT ANNUALLY
TO COUNCIL ON GENERAL
PLAN STATUS

CC-35

Council Member Reid questioned Staff as to a requirement that the Planning Commission report annually to the Council on the status of the General Plan. The City Attorney indicated that he would research the matter.

WATER CONSERVATION
REPORT REQUESTED

CC-183(a)

Council Member Hinchman asked for a report on City Water Conservation programs planned for the upcoming months.

COMMENTS BY THE
PUBLIC ON NON AGENDA
ITEMS

REQUEST BY VFW TO
HANG RED RIBBONS ON
ALL TREES ON SCHOOL
STREET BETWEEN LODI
AVENUE AND LOCKEFORD
STREET THE WEEK OF
NOVEMBER 9, 1987

CC-39

Mr. Lee Fortner, 241 Flora Street, Lodi, representing the Veterans of Foreign Wars, Lodi Post 1948, addressed the Council requesting that their organization be allowed to tie red ribbons on all trees on School Street between Lodi Avenue and Lockeford Street the week of November 9, 1987 to call attention to those missing in action and P.O.W.'s from World War II, the Korean War and Viet Nam.

PUBLIC HEARINGS

APARTMENT
MORATORIUM
(EASTSIDE STUDY
AREA)

CC-53(a)
CC-149

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Olson called for the Public Hearing to consider the Planning Commissions recommendation:

- 1) that the boundaries of the Apartment Moratorium Area (Eastside Study Area) be expanded to include 309 North Stockton Street and 115 and 121 East Lockeford Street (i.e. APN 041.230-33, 34 and 35)
- 2) that the City Council certify the Final Environmental Impact Report of the Apartment Moratorium Area (Eastside Study Area) as adequate
- 3) that the Land Use Element of the General Plan be amended to designate the apartment Moratorium Area (Eastside Study Area) for Low Density Single-Family with certain exceptions

The matter was introduced by Community Development Director Schroeder who presented diagrams of the subject area and responded to questions as were posed by the Council.

Addressing the Council regarding section (1) of the Public Hearing as set forth above was:

- A) Mr. Robert Riggle, 712 North Cross Street, Lodi. Mr. Riggle asked that the boundaries of the Apartment Moratorium Area (Eastside Study area) be expanded to include the 300 block of North Stockton Street.

There being no other persons wishing to address the Council on Section (1), the public portion of this segment of the hearing was closed.

There were no persons in the audience wishing to give testimony on section (2), as set forth above, of the public hearing. The public portion of this segment of the hearing was closed.

The following persons addressed the Council regarding section (3) of the public hearing as outlined above:

- A) Mr. Frank Goodell, 8 North Rose Street, Lodi
- B) Ms. Maria Elena Serna, 801 West Elm Street, Lodi
- C) Mr. Frank Moehring, 315 East Locust Street, Lodi
- D) Ms. Carolyn Relei, 327 Poplar Street, Lodi

Continued October 14, 1987

E) Mr. Oscar Hess, 838 Virginia Avenue, Lodi

F) Mr. John May, 437 Eden Street, Lodi

There being no other persons wishing to address the Council regarding the matter, the public portion of the hearing was closed.

On motion of Council Member Pinkerton, Reid second, Council requested that the request of Mr. Robert Riggle, 712 Cross Street, Lodi, to expand the boundaries of the Apartment Moratorium Area (Eastside Study Area) to include the 300 block of North Stockton Street, Lodi, be placed on the agenda for the Regular Meeting of October 21, 1987. The City Clerk was directed to give appropriate notification of this matter to property owners in the subject area.

On motion of Council Member Reid, Hinchman second, Council determined that the boundaries of the Apartment Moratorium Area (Eastside Study Area) be expanded to include 309 North Stockton Street and 115 and 121 East Lockeford Street (i.e. APN 041-230-33, 34, and 35). The motion carried by unanimous vote.

On motion of Mayor Pro Tempore Snider, Hinchman second, Council certified the Final Environmental Impact Report of the Apartment Moratorium Area (Eastside Study Area) as adequate and established the following findings:

FINDINGS OF APPROVAL FOR EAST SIDE PLAN ALTERNATIVES
ENVIRONMENTAL IMPACT REPORT, OPTION 2: MORATORIUM ZONING
ALTERNATIVE- EIR 87-1

A. 1) ENVIRONMENTAL IMPACT

Rezoning the study area to R-1 will conflict with the adopted housing policies promoting the construction of a variety of housing in the East Side Neighborhood (Table 3-1, p. 3).

Finding

The adopted housing policies have tended to promote the conversion of single-family homes to multi-family units at an average rate of 6.5 to 1. Rezoning to R-1 would halt any more conversions in the area.

Overriding Considerations

The continuance of the adopted housing policies will strain current infrastructure in the area in question. Additional high-density development will further result in increased traffic, circulation, and parking problems, and the increased demand for public services and facilities. A variety of housing can be constructed elsewhere in Lodi, especially in areas that are better suited for it (in terms of infrastructure capacity).

2) ENVIRONMENTAL IMPACT

The moratorium zoning alternative conflicts with the adopted housing policies dealing with the San Joaquin Council of Governments Fair Share Housing Allocation Plan since no new additions to the housing stock in the East Side Area would occur. (Table 3-1, p.4)

Finding

Conversions in the study have tended to be of low-quality that have barely met the standards for adequacy. Adequate housing can be constructed elsewhere in Lodi that will meet the requirements of the Fair Share Housing Allocation Plan.

3) ENVIRONMENTAL IMPACT

Rezoning the study area to R-1 will preserve the low-density character of the East Side Neighborhood. (Table 3-1, p. 14)

Finding

This is a beneficial impact. By eliminating any further conversions to higher densities, the rezoning would halt any further loss of single-family homes and slow the shift in neighborhood demographics.

B. ALTERNATIVES TO OPTION 2

The EIR discusses three alternatives to Option 2. The findings on each are as follows:

Alternative 1 (Option 1: Pre-moratorium Zoning Alternative)

This alternative would allow the zoning prior to implementation of the moratorium to continue (p. 2-5)

Finding

This alternative would allow for the eventual conversion of 2,643 single-family homes to 17,180 multi-family units and creates additional problems with illegal parking and the resultant inadequacy of the existing infrastructure. \$17.9 million in capital improvements to the City's water sewerage and drainage systems would be required to serve the full build-out of this area under the prior zoning. Demographic shifts to a younger and more transient population would further change the character of the neighborhood.

Alternative 2 (Option 3: Multi-plex Alternative)

All zoning under this alternative would be reduced to single-family (R-1), duplex (R-2), triplex (R-3), or fourplex (R-4) except in commercial or industrial designations. (p. 2-6)

Finding

This alternative would have a slower conversion rate than Alternative 1 (10,572 compared to 17,180 multi-family units). Full buildout under this alternative would require \$15 million in capital improvements. The low-density character and the demographic make-up of the East Side will continue to change although at a much slower rate.

Alternative 3 (Option 4: Concentrated Multi-family Zoning Alternative)

This alternative would only allow single-family conversions in three target areas while the rest of the study area is reduced to R-1. (p. 2-6)

Finding

Full buildout under this alternative would result in the conversion of 341 single-family homes to 2,217

multi-family units. Capital improvements to the area infrastructure would cost \$6.2 million. All the other problems associated with apartment construction (i.e. parking, demographic change, loss of low-density character, etc.) would still occur in the target areas and areas immediately adjacent to it.

C. GROWTH-INDUCING IMPACT

The moratorium zoning alternative would not have a growth-inducing impact in the study area but would create such pressure outside the study area.

Finding

The study area is the area originally determined to suffer the most from continued high-density development. High density development outside the area is considered more desirable since their impacts are spread out over a wider area and because these areas are typically better equipped to handle the increased capacity caused by higher densities.

A lengthy discussion followed with Council responding as follows to a number of questions posed by the City Attorney. Based on these responses the City Attorney was directed to prepare a draft ordinance for Council consideration at the next regular Council Meeting.

On motion of Council Member Hinchman, Pinkerton second, Council indicated it wished to exclude apartment conversions from C-1, C-2, C-M and R-C-P zones.

A motion by Council Member Reid, Hinchman second, to provide in the ordinance the ability in C-2 and C-M zones to have living units on the second floor and above, failed to pass.

On motion of Council Member Pinkerton, Hinchman second, Council determined that the Ordinance should include rezoning the residential areas to single family with the exception that the existing multi-family uses can be built back up to what they have as of today with a use permit.

RECESS

Mayor Olson declared a five-minute recess and the meeting was reconvened at approximately 9:00 p.m.

PLANNING COMMISSION
CC-35

City Manager Peterson reported that there had been no meeting of the Planning Commission since the last report.

COMMUNICATIONS
(CITY CLERK)

CLAIMS

CC-4(c)

On recommendation of the City Attorney and Leonard J. Russo Insurance Services, Inc., Council on motion of Council Member Pinkerton, Hinchman second, denied the following claim and referred it back to the City's Contract Administrator:

A) Lorna Bucy, DOL 8/12/87

VACANCY ON LODI
ARTS COMMISSION

CC-2(k)

Following the announcement of the resignation of Gail Mettler from the Lodi Arts Commission, Council, on motion of Mayor Pro Tempore Snider, Hinchman second, directed the City Clerk to post for the subject vacancy.

Continued October 14, 1987

REQUEST FROM LODI
PARK WEST AND
TOWNE RANCH TO
TRANSFER 20 FOOT
AGRICULTURAL
SETBACK

CC-27(a)
CC-53(a)
CC-53(c)

Following receipt of a letter from Lodi Park West and Towne Ranch requesting that the City Council transfer the 20 foot farming setback from the Parkwest property to the Towne property, Council directed that this matter be placed on the agenda for the Regular Meeting of November 4, 1987.

REQUEST TO EXEMPT

SWIMMING POOLS FROM
BUILDING RESTRICTIONS
LISTED IN MEASURE "A"

RES. NO. 87-136

CC-27(a)
CC-53(a)

City Clerk Reimche presented the following letter which had been received from Allan V. McFadden, 2903 White Oak Way, Lodi:

"Please consider this letter a request to exempt swimming pools from the building restrictions listed in measure 'A'. Please present this letter at the next City Council meeting for consideration. Measure 'A' is an agricultural easement of twenty feet on all properties adjacent to farm lands.

The restriction does not appear to be needed since there is already in all cases an access road on the farm side of the line in these situations."

Mr. McFadden stated that he is the owner of the property at 2903 White Oak Way (lot 328) where this has arisen as a real point of concern. They purchased with a pool installation as their number one priority. This easement was not flagged in the title search and so is not listed on the title policy.

Following Council discussion, on motion of Mayor Pro Tempore Snider, Pinkerton second, Council adopted Resolution No. 87-136 determining that swimming pools would be permitted within the agricultural setback. The motion carried by the following vote:

Ayes: Council Members - Pinkerton, Reid, Snider,
and Olson (Mayor)

Noes: Council Members - Hinchman

Absent: Council Members - None

REQUEST THAT TRAFFIC
SPEED LIMIT SIGNS BE
INSTALLED ON SOUTH
FAIRMONT AVENUE
BETWEEN LODI AVENUE
AND KETTLEMAN LANE

CC-45(a)
CC-48(a)

Following receipt of a letter from Belinda C. Proctor requesting that traffic speed limit signs be installed on South Fairmont Avenue, between Lodi Avenue and Kettleman Lane, Council was apprised by Staff that signs have been installed. Following additional discussion, it was learned that Mrs. Proctor has requested additional signing in the subject area. This request will be reviewed by staff.

PUBLIC HEARING SET
REGARDING REQUIRE-
MENT THAT ALL STORM
DRAINAGE PASS THROUGH
CITY APPROVED SAND
AND OIL TRAPS PRIOR
TO ENTERING CITY
SYSTEM

CC-53(b)
CC-176

Following receipt of a letter from the Law Offices of Rishwain, Hakeem, Ellis and LeBeouf, representing Frank Alegre, Sr., 910 North Cluff Avenue, Lodi, appealing the Planning Commission's action requiring all storm drainage to pass through the City approved sand and oil traps prior to entering the City's storm drain system, Council, on motion of Mayor Pro Tempore Snider, Hinchman second, set the matter for Public Hearing at the Regular Council Meeting of November 4, 1987.

APPEAL REGARDING
BUILDING BEING
DECLARED PUBLIC
NUISANCE BY BUILDING
INSPECTOR

CC-14(a)
CC-24(b)

Following receipt of an appeal of Ms. Pat Bedard, 714 1/2 South Central Avenue, Lodi of the City of Lodi Chief Building Inspectors declaring the subject property to be a PUBLIC NUISANCE as defined and prescribed for by Section 202, Substandard Buildings, of the 1982 Housing Code of the City of Lodi, a report concerning the matter was made by the staff. No formal action was taken by the Council on the matter.

PETITION RECEIVED
REQUESTING THAT
SOUTH PLEASANT
AVENUE FROM WEST
WALNUT STREET TO
WEST PINE STREET
BE MADE INTO A
TWO HOUR PARKING
AREA WITH PERMIT
PARKING FOR
RESIDENTS OF AREA

CC-45(a)
CC-48(i)

Following receipt of a petition received from residents on South Pleasant Avenue and West Oak Street requesting that South Pleasant Avenue from West Walnut to West Pine Street be made into a two-hour parking area with permit parking to be provided for residents of the area, Council was apprised that this matter will be on the agenda for the Regular Council Meeting of November 4, 1987.

CAREY DEVELOPMENT
REQUESTS TO BE
RELIEVED FROM THE
EFFECTS OF CITY
OF LODI RESOLUTION
NO. 86-152, THE
NEW CITY SEWER
FEE SCHEDULE

CC-6
CC-44
CC-51(a)
CC-56

City Clerk Reimche presented the following letter which had been received from A. Bryce Carey, representing Carey Development Company and Mr. and Mrs. Bryce Carey:

"I would like to respectfully request to be placed on the upcoming City Council meeting agenda for relief from the effects of City Council's Resolution #86-112, (NOTE: the correct Resolution Number is 86-152) the new city sewer fee schedule.

Continued October 14, 1987

The effect of this resolution will increase by approximately \$100,000 the costs to Carey Development Company and Mr. and Mrs. A. Bryce Carey, owners of Woodlake Plaza shopping center, 2401 West Turner Road. The added cost will cause the owners an extreme hardship in cash flow that was not anticipated nor included in financing arrangements.

On November 5, 1986, the City Council passed the following motion modifying the application of Resolution #86-112: "...authorized the application of the City's previous sewer connection fee schedule in those situations where "shell" structures were constructed or under construction, prior to October, 1986."

I respectfully feel our project qualified under the situations referred to in this motion.

Following is a synopsis of various facts pertaining to this matter:

July, 1986	Financing for the shopping center arranged.
August 4, 1986	Carey Development applied for the building permit
August 29, 1986	Building Department approved underground plans, but did not release them to Carey Development until September 30, 1986.
September, 1986	Surveying and staking done by Baumbach and Piazza (civil engineers).
September 30, 1986	Plans and underground requirements returned by City to Carey Development.
October 20, 1986	Started construction of underground site work on project.
October 31, 1986	Plan check completed by Planning Department
November 5, 1986	New sewer fee resolution approved by City Council retroactive to October 1, 1986.
December 2, 1986	Plan check by Fire Department approved and building permit issued.

We request the City Council amend their motion of November 5, 1986, to authorize application of the City's previous sewer connection fee schedule in those situations where projects had plans in for permit, or to otherwise exempt Woodlake Plaza from the new sewer fee schedule, for the following reasons:

1) Permits for the shopping center had been applied for 56 days prior to October 1, 1986. Had the Building Department been able to process the application in a more timely fashion, or not delayed an additional month in notifying Carey Development of its approval of the underground site work, construction would have been much further advanced. At least one month's delay was caused by the Building Department.

2) Albeit a "fine line interpretation," construction in the form of surveying and staking by the civil engineers did, in fact, begin prior to October 1, 1986.

3) Financing for the project had been arranged prior to Resolution #86-112 and unanticipated additional costs in excess of \$100,000 represent an undue financial hardship to the owners.

Thank you for your attention to this matter. I will be in attendance at the meeting for your questions; however, if you need additional information prior to that time, please do not hesitate to contact me.

Sincerely,

s/A. Bryce Carey, representing
CAREY DEVELOPMENT COMPANY
and MR. AND MRS. A. BRYCE CAREY"

A lengthy discussion followed with questions being directed to Staff.

On motion of Council Member Reid, Snider second, Council by the following vote, determined that the old sanitary sewer fees would apply to all persons who had applied for a Building Permit prior to October 1, 1986. (Council implemented a new sewer fee October 1, 1986 with the adoption of Resolution No. 86-152)

Ayes: Council Members - Pinkerton, Reid, Snider,
and Olson (Mayor)

Noes: Council Members - Hinchman

Absent: Council Members - None

Council Member Pinkerton asked that the record show that when the Woodbridge School comes into the City, it's to pay the appropriate fees.

REGULAR CALENDAR

REVIEW OF KETTLEMAN LANE TRAFFIC REPORT

RES. NO. 87-137

CC-45(a)
CC-48(a)

Council was reminded that, earlier in the summer, it expressed concerns over traffic congestion and striping inconsistencies on Kettleman Lane (State Highway 12). Staff toured Kettleman Lane with Councilmembers and later with Caltrans representatives. Staff provided Council with copies of its letter to Caltrans and their response. The main points, comments, and recommendations are as follows:

- 1) Right Turn Lane Striping - Caltrans indicated right turn lanes are installed based on their judgment as to where they are needed, generally in response to accidents or congestion. They also acknowledged the inconsistency with red curb and indicated we could paint the curbs at existing right turn lanes. We would not do so without Council approval.

The following list shows all the existing right turn lanes, red curb status, and our comments/recommendations:

<u>Location</u>	<u>Red Curb</u>	<u>Recommendation</u>
Ham Lane WB	Yes	None

Continued October 14, 1987

	EB	No	Paint 110' (from curb return to driveway @ Guarantee Savings)
School St.	WB	No	Install "No Parking" signs from School to Stockton Street (this segment has no access and is primarily within the underpass area)
Stockton St.	EB	No	

<u>Location</u>	<u>Red Curb</u>	<u>Recommendation</u>
Cherokee Ln EB	No	Install "No Parking" signs from curb return to Lodi Supermarket driveway (this area is not improved with curb, gutter, and sidewalk)

Whether or not Caltrans actually develops right turn lanes at additional intersections, staff feels there is value in painting additional red curb at all intersections on Kettleman Lane. At Staff's meeting with Caltrans engineers, they suggested a 100' curb length on Kettleman Lane be established as no parking and a maximum of 50' of red curb on the side street approaches. This would improve sight distance for both vehicles and pedestrians and allow room for turning vehicles on both streets. Due to driveways, fire hydrants, and other factors such as parking demand, the actual amount of red curb would vary at each street. Council should provide some direction to staff if it wishes this implemented. We could then bring back to the City Council specific recommendations at each location.

- 2) Speed Zones - Caltrans updated the speed surveys and is changing the speed limit from 40 mph to 45 mph on a portion of Victor Road. The other limits are appropriate.
- 3, 4) Left Turn Access/Medians - Caltrans was fairly noncommittal on the subject of medians. The cost of landscaped median on Highway 12 through the City would be well over \$400,000. Several traffic studies in other jurisdictions have indicated that raised medians are preferable to two-way left turn lanes on streets having six through lanes or daily traffic over approximately 25,000. Kettleman Lane is wide enough for six lanes and the volumes are in the low 20,000s.

Staff recommends that this improvement be considered in the General Plan update.

- 5) Projected Volumes - Caltrans' volumes near or between the streets indicated are:

	YEAR: 1986	1995	2005
<u>Kettleman Lane</u>			
Ham Lane	14,000	20,900	27,000
Hutchins Street	21,100	27,000	32,300
	11,700	17,500	22,500
Cherokee Lane	8,000	12,000	15,500
Highway 99			

The City's General Plan update will include a new estimate of these volumes.

- 6) Signal Coordination - As of August 17, the Ham and Cherokee intersections have been added to the State's coordination plan. However, they are still finding "bugs" in the timing programs. In general, under a time base coordination plan, the signals will not be as responsive to side street traffic and the cycle lengths will increase. Caltrans (and City staff) will continue to monitor these improvements.
- 7) Planned Maintenance - Based on our conversations, it appears an overlay on Kettleman Lane is three or five years away. Victor Road was chip sealed this summer.
- 8) Driveway Widths - We reached an understanding that driveways designed as a street intersection, similar to that at Kettleman Station opposite Central Avenue, are not limited to 40 feet in width.
- 9) Eastbound Traffic at Cherokee Lane - As noted in Caltrans' letter, there is a problem with eastbound traffic at Cherokee Lane. In order to provide the additional lane and remove the forced right turn only lane on Kettleman at Cherokee, a no parking zone in front of Carrow's Restaurant and the ARCO Station is needed. Staff concurs with the State's recommendation that this be done.
- 10) Accident Records - The computer printouts of segment and intersection accident rates on Highway 12 indicate higher rates than "expected" or average rates for similar highways. These should be viewed with caution as the segments are relatively short and the indicated side street volumes are lower than current traffic volumes. These factors tend to inflate the accident rate. Caltrans did not feel there is a significant accident problem on Highway 12 in general.

A lengthy discussion followed with questions being directed to Staff.

Mr. Bill Rude, Carrows Restaurant, Lodi, addressed the Council asking that the street parking in the area of Carrows Restaurant not be removed.

Following additional discussion, Council, on motion of Mayor Pro Tempore Snider, Olson second, adopted Resolution No. 87-137 1) establishing "No Parking" zones at the existing eastbound right turn lane on Kettleman Lane at Ham Lane and 2) established "No Parking" zones on both sides of Kettleman Lane between School Street and Stockton Street (underpass).

COUNCIL DETERMINES
NOT TO ESTABLISH A
"NO PARKING" ZONE
ON LODI AVENUE WEST
OF CHURCH STREET
(MCDONALD'S NEW
DRIVEWAY)

CC-15(a)
CC-48(e)

Council was apprised that in early 1986, left turn lanes were installed on Lodi Avenue from Sacramento Street to the alley west of Church Street. In order to eliminate problems with left turn movements at the fast food restaurants, a combination of two-way left turn lanes and raised medians were installed.

McDonald's Corporation is now expanding their parking lot and drive-thru lane into the lot west of their existing property. Their plans include abandoning the existing west driveway and installing a new one further west. In order to accommodate this new driveway, the left turn lane should be extended further west. This will remove three of the existing five parking stalls. (The two remaining stalls are being removed by the driveway.) Alternate "A" was presented for Council review.

This change extends the left turn lane just short of the Pleasant Avenue intersection. Normally, the left turn lane would include the intersection. This will remove an additional nine parking stalls west of Pleasant Avenue. (Alternate "B" was presented for Council review).

Since 1983, there have been 12 accidents at or near this intersection (within the area covered by the proposed no parking zone). All of them involved left turning or parked vehicles:

<u>Accident</u>	<u>Number</u>
Left turning vehicle rear ended	5
Thru vehicle vs. parked vehicle	5
Left turning vehicle vs. thru vehicle	2

With the high volumes on Lodi Avenue, this number of accidents at an intersection is not particularly high. It is unusual that there are no accidents involving vehicles entering Lodi from Pleasant. Of course, part of this is due to the fact that Pleasant north of Lodi is one-way northbound. The intersection would not have been studied if it were not for the McDonald's situation.

Staff recommended that at a minimum Alternate "A" be adopted. However, Alternate "B" should receive serious consideration due to the potential to reduce accidents.

A lengthy discussion followed with questions regarding the matter being directed to Staff.

The following persons addressed Council indicating their concern about the possible loss of parking:

- A) Dr. Ron Forbes, 300 West Lodi Avenue
- B) Ms. Jeremic, Light-Catchers, 304 West Lodi Avenue
- C) Ms. Conley, Alete Beauty Salon, 306 West Lodi Avenue
- D) Ms. Irene Harper, 304 West Lodi Avenue

On motion of Council Member Snider, Hinchman second, Council took the following actions regarding the matter:

- A) Denied the installation of the proposed new driveway at McDonald's
- B) Determined that no parking stalls would be removed on Lodi Avenue west of Church Street
- C) Directed Staff to work with McDonald's in redesigning their parking lot to insure that the Pleasant Avenue intersection is as safe as possible.

LODI LAKE PARK
DEVELOPMENT MASTER
PLAN APPROVED IN
CONCEPT

CC-27(c)

Following introduction of the matter by Staff and discussion, Council, on motion of Council Member Pinkerton, Hinchman second, adopted the Lodi Lake Park Development Master Plan in concept, as prepared by Landscape Architect Richard Bigler.

FEDERAL AID URBAN
ROUTES APPROVED

RES. NO. 87-134

CC-7(d)
CC-45(a)

Council was apprised that the federal aid system map has not been updated since 1983. Since 1983, new areas have been annexed and additional streets have been constructed which should be included as part of the federal aid system map. Changes of existing street classifications are also needed.

The Federal Aid Urban (FAU) Route classifications include: Principal Arterial Street, Minor Arterial Street, and Collector Street. The designation and classification of the Lodi streets were based on the criteria established by the federal government. The proposed Federal Aid Urban Routes, classifications, and street miles were shown on an exhibit presented to the Council.

The difference between the classifications is not critical. FAU funds can only be used on FAU Routes and cannot be used on local streets. Therefore, there is an advantage to the City to include additional streets in the FAU routes being adopted.

It is recommended that the following streets be added and removed:

Streets Added

Almond Drive from Stockton Street to Cherokee Lane - collector
Brandywine Drive from Ham Lane to Hutchins Street - collector
Central Avenue from Kettleman Lane to Lodi Avenue - collector
Century Blvd. from Mills Avenue to Ham Lane and Hutchins Street to Church Street - collector
Church Street from Century Blvd. to Lodi Avenue - minor arterial & collector
Crescent Avenue from Kettleman Lane to Lodi Avenue - collector
Harney Lane from Hutchins Street to Stockton Street - minor arterial
Holly Drive from Mills Avenue to California Street - collector
Lockeford Street from Mills Avenue to California Street - minor arterial & collector
Mills Avenue from Century Blvd. to Kettleman Lane - collector

Pine Street from Ham Lane to Cherokee Lane - minor
arterial & collector
Rutledge Drive from Elm Street to Turner Road -
collector
Stockton Street from Harney Lane to Kettleman Lane -
minor arterial
Tokay Street from Lower Sacramento Road to Cherokee Lane
- collector

Streets Removed

Elm Street from Church Street to Cherokee Lane
Sargent Road from West City Limit to Lower Sacramento
Road
Vine Street from Hutchins Street to Cherokee Lane

Following discussion, with questions being directed to
Staff, Council on motion of Council Member Reid, Hinchman
second, adopted Resolution No. 87-134 revising the urban
limits, the functional classifications, and designations of
certain Lodi streets as Federal Aid Urban Routes.

ORDINANCES

ORDINANCE PREZONING
CENTURY MEADOWS

ORD. NO. 1406
ADOPTED

CC-53(d)

CC-149

Ordinance No. 1406 entitled, "An Ordinance Prezoning
Century Meadows, a 160 Acre Single-Family Residential
Project" having been introduced at an Adjourned Regular
Meeting of September 30, 1987, was brought up for passage
on motion of Council Member Hinchman, Reid second. Second
reading of the Ordinance was omitted after reading by
title, and the Ordinance was then adopted and ordered to
print by a unanimous vote of the Council

ORDINANCE PREZONING
LODI PARK WEST
ESTATES

ORD. NO. 1407
ADOPTED

CC-53(d)

CC-149

Mayor Pro Tempore Snider asked to abstain from discussion
and voting on the following matter because of a possible
conflict of interest.

Ordinance No. 1407 entitled, "An Ordinance prezoning the
Batch property (i.e. Lodi Park West Estates), a 100 acre
residential project consisting of single-family lots,
senior citizens housing, an elementary school site and an
addition to Westgate Park-Storm Drainage Basin" having been
introduced at the Adjourned Regular Meeting of September
30, 1987, was brought up for passage on motion of Council
Member Reid, Hinchman second. Second reading of the
Ordinance was omitted after reading by title, and the
Ordinance was then adopted and ordered to print by the
following vote:

Ayes: Council Members - Hinchman, Pinkerton, Reid,
and Olson (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - Snider

Continued October 14, 1987

ORDINANCE PREZONING
BRIDGETOWNE ESTATES
AND THE ADDITION TO
THE WINE AND ROSES
COUNTRY INN

ORD. NO. 1408
ADOPTED

CC-53(d)

CC-149

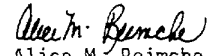
Ordinance No. 1408 entitled, "An Ordinance prezoning Bridgetowne Estates and the addition to the Wine and Roses Country Inn, a 61.6 Acre project consisting of single-family lots and area for the expansion of an existing commercial use" having been introduced at the Adjourned Regular Meeting of September 30, 1987, was brought up for passage on motion of Council Member Hinchman, Reid second. Second reading of the Ordinance was omitted after reading by title, and the Ordinance was then adopted and ordered to print by unanimous vote of the Council.

"CLOSED SESSION"

REGARDING PERSONNEL

Council adjourned to a "Closed Session" regarding personnel at approximately 10:50 p.m. The City Clerk requested to be excused from the session, which request was granted. The meeting was adjourned immediately following the "Closed Session" at 11:28 p.m.

ATTEST:


Alice M. Reimche
City Clerk